



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes MNSD, MNDC, FF, MNR

Introduction

This hearing dealt with cross-applications under the *Residential Tenancy Act* (the “Act”). The tenant applied on March 14, 2017 return of the security deposit, compensation for loss or damage, an order that the landlord comply, and recovery of the application filing fee. The landlord applied on April 18, 2017 for authorization to retain the security deposit, compensation for loss or damage, a monetary order for lost rent, and recovery of the application filing fee.

Both the parties attended the hearing. The hearing process was explained and the participants were asked if they had any questions. Both parties provided affirmed testimony and had the opportunity to present their evidence orally and in written and documentary form, to make submissions to me and to respond to the submissions of the other party.

At the outset of the hearing I advised the parties of their option to have me assist in mediating an agreement with respect to this tenancy. I further advised that any agreement would be documented in my decision pursuant to section 63 of the Act. It was made clear to the parties that there was no obligation to resolve the dispute through settlement.

Settlement

Over the course of the hearing, the parties reached an agreement to settle this matter on the terms set out below.

1. The tenant withdraws his application in full.
2. The landlord withdraws her application in full.
3. The tenant will pay the landlord the total amount of **\$855.00** as follows:

- a. The tenant will immediately destroy and will not cash the cheque in his possession from the landlord dated March 31, 2017 and in the amount of \$355.00; and
- b. The tenant will send the landlord an additional \$500.00 by cheque to her Ottawa mailing address, by mail post-marked no later than June 15, 2017.

In support of this settlement and with the consent of the parties I issue a monetary order against the tenant and in favour of the landlord in the amount of **\$500.00**. If the tenant does not comply with the terms of this settlement agreement, the tenant may be served with the order and the order may be filed in the Small Claims Division of the Provincial Court and enforced as an order of that Court.

Conclusion

This matter has been settled.

The parties are bound by the terms of the agreement set out above, as well as by the terms of the Act. Should either party violate the terms of this agreement or the Act, it is open to the other party to take steps under the Act to apply for monetary compensation or other relief.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under s. 9.1(1) of the Act.

Dated: May 24, 2017

Residential Tenancy Branch